

January 23, 2009

Latoya Glenn
WM Renewable Energy, L.L.C.
1001 Fannin, Suite 400
Houston, TX 77002

Re: DE 08-158, Waste Management Renewable Energy, L.L.C.
Certification Application for Class I Eligibility pursuant to RSA 362-F

Dear Ms. Glenn:

On December 10, 2008, Waste Management Renewable Energy (WMRE) submitted an application requesting certification of the High Acres landfill methane gas facility (High Acres facility) as eligible to produce Class III and Class I renewable energy certificates (RECs) pursuant to RSA 362-F, New Hampshire's Electric Renewable Portfolio Standard law. Staff has reviewed the application and recommended approval noting that the WMSE application was complete on December 10, 2008.

Class I eligibility requires that a facility began operation after January 1, 2006 and that it produces electricity from certain renewable sources, one of which is methane gas. Class III eligibility requires a methane gas facility to have begun operation prior to January 1, 2006. The High Acres facility is located at 425 Perinton Parkway, Fairpoint, New York. High Acres 1 began operation on July 15, 1991 with a gross nameplate capacity of 1.6 megawatts and added a 0.8 megawatt turbine in 1997 and 1999. High Acres 1's NEPOOL GIS facility identification number is 32529. In 2008, WMRE added four Caterpillar 3520 reciprocating engines, High Acres 2, each with a nameplate capacity of 1.6 megawatts for a total of 6.4 megawatts that became operational in March 2008. The NEPOOL GIS facility identification number for High Acres 2 is 32690.

The average annual electrical production of High Acres 1 from 2004 to 2006 is 27,510.55 megawatt-hours. Any electrical output that exceeds this historical generation baseline is associated with the installation of the High Acres 2 units and, as a result, is eligible to receive Class I RECs.

January 23, 2009
Page two

The Commission has reviewed the WMRE application and determined that it has provided all the necessary information to demonstrate that the High Acres facility is eligible for certification as a Class III facility and that generation in excess of its historical generation baseline is eligible to receive Class I renewable energy certificates. Therefore, the Commission hereby certifies that the High Acres facility is a Class III and Class I renewable energy source effective December 10, 2008 and is eligible to be issued New Hampshire Class III and Class I renewable energy certificates that are in excess of its historical generation baseline. For the issuance of any renewable energy certificates, please be aware that since the facility is located in an adjacent control area, the applicant must provide proof pursuant to Puc 2504.01 (a)(2) that the associated electricity produced by the facility was imported into the New England control area.

Attached please find a copy of the notice of this certification provided to the GIS administrator. The New Hampshire Renewable Portfolio Standard certification code for the High Acres 1 landfill methane gas unit is NH-III-09-001 and the certification code for the High Acres 2 unit is NH-I-09-002.

Sincerely,

Debra A. Howland
Executive Director

Encl.